

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

UNITED STATES OF AMERICA)	
)	
v.)	Criminal No: 15-CR-10271-WGY
)	
ALEX LEVIN,)	
Defendant.)	

ASSENTED-TO MOTION TO CONTINUE TRIAL DATE

Now comes the United States of America, by and through the undersigned Assistant United States Attorney, and respectfully moves this Court to continue the trial in this matter from the currently scheduled date of July 23, 2018 to a date convenient to the Court and the parties. As reason therefor, the government states that the case agent, a necessary witness for the government, will be on vacation with his family during the week of the currently scheduled trial. The undersigned Assistant United States Attorney is also scheduled to be out of state with her family on July 23, 2018.

The defendant is not currently in custody, and his counsel assents to this motion. Counsel for the defendant has shared his availability with the government for purposes of the filing of this assented-to motion. The parties note that counsel for the defendant is currently scheduled to try two cases in September (one before Judge Zobel in this District Court and one before a justice of the Middlesex Superior Court), followed by a homicide trial in the Middlesex Superior Court that involves at least eight expert witnesses and is expected to go through December.

Given counsel's schedule, as outlined above, the parties respectfully request that the trial in this matter be scheduled for a date in January 2019. The parties estimate that the case will be tried within one week.

The parties also respectfully move this Court to exclude the time period from July 23, 2018 through and including the rescheduled trial date from the speedy trial clock, pursuant to the Speedy Trial Act, 18 U.S.C. § 3161(h)(7)(A), on the ground that the ends of justice served by excluding this period outweigh the best interests of the public and the Defendant in a speedy trial. The parties jointly agree that this period constitutes “the reasonable time necessary for effective preparation, taking into account the exercise of due diligence,” and that the ends of justice served by granting the requested continuance outweigh the best interests of the public and the defendant in a speedy trial pursuant to the Speedy Trial Act, 18 U.S.C. § 3161(h)(7)(A).

Respectfully submitted,

ANDREW E. LELLING
United States Attorney

By: /s/ Anne Paruti
Anne Paruti
Assistant United States Attorney

Date: June 5, 2018

CERTIFICATE OF SERVICE

I, Anne Paruti, hereby certify that this document filed through the ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF) and paper copies will be sent to those indicated as non-registered participants.

/s/ Anne Paruti
Assistant United States Attorney

Dated: June 5, 2018